
SENATE BILL No. 372

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-34.5.

Synopsis: Destructive research. Defines "destructive research" as research that kills or injures the subject of the research and involves the use of human embryos. Prohibits a public employee or person employed at a public facility (including a state educational institution) from conducting destructive research. Prohibits the state or a political subdivision of the state from funding destructive research. Provides that a person who conducts destructive research commits a Class A misdemeanor.

Effective: July 1, 2002.

Miller

January 10, 2002, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 372

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-93.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2002]: **Sec. 93.5. (a) "Destructive research",**
4 **for purposes of IC 16-34.5, means scientific or laboratory research,**
5 **a medical or scientific procedure, or another investigatory**
6 **procedure that:**

7 **(1) kills or injures the subject of the research; and**

8 **(2) involves the use of a human embryo that is not located in**
9 **a woman's body.**

10 **(b) The term does not include in vitro fertilization and**
11 **accompanying embryo transfer to a woman's body.**

12 SECTION 2. IC 16-18-2-143.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2002]: **Sec. 143.5. "Gamete" means a human**
15 **sperm or unfertilized human ovum.**

16 SECTION 3. IC 16-18-2-182.5 IS ADDED TO THE INDIANA
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS



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[EFFECTIVE JULY 1, 2002]: Sec. 182.5. "Human embryo" means a genetically complete living organism of the species homo sapiens from the single cell stage to eight (8) weeks development.

SECTION 4. IC 16-18-2-298.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 298.5. "Public facility", for purposes of IC 16-34.5, means:

- (1) an institution owned, leased, or controlled by the state or a political subdivision of the state;
- (2) a facility owned, leased, or controlled by the state or a political subdivision of the state;
- (3) a state educational institution (as defined in IC 20-12-0.5-1);
- (4) a hospital (as defined in section 179 of this chapter); or
- (5) a physical asset owned, leased, or controlled by the state or a political subdivision of the state.

SECTION 5. IC 16-34.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]:

ARTICLE 34.5. PROHIBITED RESEARCH

Chapter 1. Prohibited Research

Sec. 1. The state or a political subdivision of the state may not make a payment from any fund under its control for the following activities:

- (1) Knowingly or intentionally conducting destructive research.
- (2) Buying, selling, receiving, or otherwise transferring a human embryo located outside a woman's body, knowing that the human embryo will be the subject of destructive research.
- (3) Buying, selling, receiving, or otherwise transferring a gamete, knowing that the gamete will be used to produce a human embryo outside a woman's body for use in destructive research.

Sec. 2. The state or a political subdivision of the state may not make a payment from any fund under its control to an entity that performs or funds an act described in section 1 of this chapter.

Sec. 3. Within the scope of the person's employment, a:

- (1) public employee; or
- (2) person employed by or in a public facility;

may not participate in an act described in section 1 of this chapter.

Sec. 4. A public facility may not be used to perform an act described in section 1 of this chapter.



1 **Sec. 5. A person who knowingly or intentionally violates this**
2 **chapter commits conducting destructive research, a Class A**
3 **misdemeanor.**

4 **SECTION 6. [EFFECTIVE JULY 1, 2002] IC 16-34.5-1-5, as**
5 **added by this act, applies only to acts committed after June 30,**
6 **2002.**

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